

Exhibit G – Deposition of Michael Ayo

In The Matter Of:
ELIZABETH BECKLEY vs.
CITY OF ATLANTA, GEORGIA

MICHAEL AYO
February 1, 2017
30(b)(6) DEPOSITION



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1 Q. (By Mr. Radford) Mr. Ayo --

2 A. "Ayo," please.

3 Q. "Ayo"?

4 A. Yes.

5 Q. Mr. Ayo, have you seen the document
6 that's marked here as Plaintiff's Exhibit 4?

7 A. Yes, I have.

8 Q. And do you -- as you look at the four
9 topics listed here on Page 2, I believe that the City
10 has designated you to speak on Topic 3; is that
11 correct?

12 A. That is correct.

13 Q. All right. Topic 3 is the City's
14 position regarding why sidewalk ramps have not to
15 date been installed at the intersection of Martin
16 Luther King Boulevard and Centennial Olympic Park
17 Drive. And is that the topic you're prepared to
18 speak on today?

19 A. Yes.

20 Q. What is your position with the City of
21 Atlanta?

22 A. I'm a bridge engineer for the City.

23 Q. All right. And is it through that
24 position that you've come to the knowledge that would
25 allow you to speak on this topic?

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1 A. Yes.

2 Q. Well, I'll just ask you the question,
3 what is the City's position regarding why sidewalk
4 ramps have not to date been installed at the
5 intersection of Martin Luther King Boulevard and
6 Centennial Olympic Park Drive?

7 A. The bridge was constructed initially, I
8 believe in 1961. As you might have guessed, I
9 probably wasn't an employee then. In fact, I was
10 probably four years old, so -- but I can -- as a
11 professional, I can reason, or have reason to believe
12 that whatever applicable codes at that time for
13 design and construction of bridges, I believe they
14 were followed. Just my perception.

15 At that time, I don't believe sidewalk
16 or ADA ramps were part of the code at that time.
17 That's probably why they were not installed. That is
18 just my observation, but -- why they were not there,
19 I don't know. But that's my perception, that they
20 were not part of the code to be followed by design
21 engineers at that time.

22 Q. How long have you been a bridge
23 engineer with the City?

24 A. Two years now.

25 Q. Have you been consulted regarding the

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1 question of whether sidewalk ramps can be installed
2 at that intersection today?

3 A. I'm not sure I understand your
4 question.

5 Q. Have you researched or assessed whether
6 sidewalk ramps could be installed at that
7 intersection today?

8 A. Yes. I was tasked to make an
9 evaluation as to the possibility of installing ADA
10 ramps at the location late this past year --
11 specifically about October, and I went there to make
12 an assessment.

13 Q. All right. And what did you conclude?

14 A. I concluded that it's going to be
15 difficult to install it there, but it's not
16 absolutely impossible. The original structure was
17 not designed to accommodate this particular facility.
18 To install this ADA ramp at this location, it will
19 necessitate a major redesign of the intersection to
20 accommodate the ADA requirements.

21 Q. Okay. Anything in particular about it
22 that makes it difficult?

23 A. Yes. From a structural engineering
24 standpoint, the location of the sidewalks, they are
25 considered cantilevered. "Cantilevered" means they

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1 are not fully supported. The pier support that
2 supports the bridge are in the middle of the bridge,
3 but the sidewalk portion remains an overhang.

4 And the way bridges are constructed, we
5 have rebars, which are so-called like steel rods.
6 They're embedded in the concrete somewhere there.

7 At this particular location where the
8 overhangs are, the rods are rather built below,
9 closer -- like below the deck. They are more towards
10 the top of the bridge deck. So it becomes a
11 structural challenge to cut through those rebars.
12 Because once you cut through them, then the
13 cantilever section, which is supported, becomes
14 even -- you know, puts the whole area in danger of
15 collapsing.

16 So that's why that's the biggest
17 challenge of why we simply can't just install ADA
18 ramps at those location.

19 Q. You can't just cut into the concrete.

20 A. You can't just cut into the concrete,
21 no.

22 Q. Have you been involved in any
23 maintenance or repair of that bridge during your time
24 with the City?

25 A. Yes, I have.

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1 But even then, roadways of some older
2 bridges, they're remarkably in good condition, that
3 you don't need to resurface them every so often.
4 Could be once in five years, could be one in 10
5 years. Again, could just be sporadically when
6 potholes or problems develop, and then they are
7 patched and leveled to surface.

8 Q. As to this specific bridge where MLK
9 and COP intersect, are you familiar with the type of
10 surface on that bridge?

11 A. Yes, I am.

12 Q. And how would you describe it, to a
13 layperson?

14 A. In that particular area, the roadway
15 surface is concrete. And concrete roadways are very
16 resilient. They do not wear out as often as asphalt
17 roadways.

18 Q. Okay. And for a concrete roadway of
19 the sort that's on that bridge, how often would you
20 expect it to be resurfaced?

21 A. Gosh. Again, if it's concrete, as in
22 this particular case, it's rarely scheduled to be
23 resurfaced, unless there's a specific problem there
24 that makes the roadway unsafe.

25 Again, concrete roadways are -- they

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1 last a much longer time, and typically they are not
2 resurfaced.

3 Q. Okay. So -- and are you personally
4 aware of any resurfacing that's been done on that
5 particular roadway?

6 A. Intersection? No. I'm not aware of
7 any.

8 Q. Okay. And I believe you -- go ahead.

9 A. Recently, for the time I've been with
10 the City, you know, I'm not -- what happened
11 previous, preceding my employment, I don't know, and
12 I have no record of that.

13 Q. Okay. And I believe you talked earlier
14 about some repairs that have been made to the bridge.
15 Have those repairs been made within the previous two
16 years?

17 Or, I guess, during the period of your
18 employment.

19 A. Yes. But not at that location. Areas
20 where repairs has been made, they are further back
21 towards -- gosh. It's a two-way roadway now. But
22 much towards the -- going in the direction of Georgia
23 World Congress, which I believe is eastbound if
24 you're at that location. But at that intersection,
25 per se, we have not made any repairs.